

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 8:03-CR-77-T-30TBM

HATEM NAJI FARIZ
_____ /

MOTION TO EXCEED PAGE LIMIT AND FOR ORAL ARGUMENT

Defendant, Hatem Naji Fariz, by and through undersigned counsel, and pursuant to Local Rule 3.01(c) and (d), respectfully requests that this Honorable Court (1) allow Mr. Fariz to file pretrial motions regarding the Superseding Indictment (Doc. 636) in excess of twenty pages, and (2) schedule oral argument on these motions. As grounds in support, Mr. Fariz states:

1. Mr. Fariz's pretrial motions attacking the Superseding Indictment are presently due on October 29, 2004.
2. The Superseding Indictment charges eight co-defendants with 53 counts. The complexity and number of legal issues arising in this case are well understood.
3. Local Rule 3.01(c) limits briefs and legal memoranda to twenty pages.
4. Mr. Fariz is raising a number of constitutional and legal arguments to the charges in the Superseding Indictment. While counsel have endeavored to avoid unnecessary length and repetition, the number and complexity of the issues has required additional pages.
5. Counsel have prepared separate motions raising distinct legal issues with respect to the Superseding Indictment.

6. Mr. Fariz therefore would ask permission to file motions that cumulatively exceed the twenty-page limit.

7. Mr. Fariz would also respectfully request oral argument pursuant to Local Rule 3.01(d). In light of the significant constitutional and legal issues involved in this case, it is respectfully submitted that argument by counsel may provide this Court with assistance in resolving these motions.

WHEREFORE, Defendant Hatem Naji Fariz respectfully requests permission to file motions in excess of twenty pages and oral argument.

Respectfully submitted,

R. FLETCHER PEACOCK
FEDERAL PUBLIC DEFENDER

/s/ M. Allison Guagliardo
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2004, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

/s/ M. Allison Guagliardo
M. Allison Guagliardo
Assistant Federal Public Defender